

FILED

MAY 22 2018

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURTfor the
Western District of TexasCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY U/M DEPUTYUnited States of America
v.

Maria Guadalupe GUAJARDO Avalos

Case No:

EP-18-mj-3594-LSDefendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of May 20, 2018, in the county of El Paso in the Western District of Texas, the defendant violated § U.S.C. § 1326, an offense described as follows:

an alien, who had been excluded, deported and removed from the United States and who has not received the consent to reapply for admission from the Attorney General of the United States or the Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Section 202(3), 202(4), and 557, was found in the United States.

This criminal complaint is based on these facts:

On May 20, 2018, the Defendant, Maria Guadalupe GUAJARDO Avalos, was encountered at the El Paso County Detention Facility by Deportation Officer Marco Smith, who is assigned to the Criminal Alien Program in El Paso, Texas. Officer Smith questioned the Defendant as to her citizenship and immigration status. The Defendant readily admitted she was a citizen and national of Mexico without immigration documents allowing her to be or remain in the United States. The Defendant was last removed from the United States to Mexico on January 8, 2009 at the Paso Del Norte Port of Entry in El Paso, Texas. There is no evidence that the Defendant received permission from the appropriate authority to reapply for admission into the United States.

☒ Continued on the attached sheet.

Maria Luisa Castañeda

Complainant's signature

Maria Luisa Castañeda, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: May 22, 2018

City and state: El Paso, Texas

Leon Schydlower

Judge's signature

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically SwornAt 11:36 AM

Fed.R.Crim.P. 4.1(b)(2)(A)

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

United States of America

v.

Maria Guadalupe GUAJARDO Avalos

Continuation of Statement of Facts:

The encounter by Deportation Officer Smith took place at the El Paso County Detention Facility after the Defendant was arrested by El Paso Police Department for Driving While Intoxicated. On May 20, 2018 the Defendant bonded out and was released to ICE custody. Deportation Officer Cecilia Yague processed the Defendant at the DHS/ICE/ERO office by enrolling her into the EAGLE/IDENT/NGI systems, with positive results indicating the Defendant has immigration and criminal histories.

The Defendant's immigration records checks revealed that, on December 9, 2008, she was issued an Expedited Removal by the United States Border Patrol in El Paso, Texas. The Defendant was removed to Mexico on January 8, 2009 through El Paso, Texas.

The Defendant's criminal history reflects a conviction for Fraud in connection with identification documents (18 USC 1028) on December 17, 2008, to which she was sentenced to 30 days confinement in the United States Bureau of Prisons.

There is no evidence that the Defendant has received the permission of the Attorney General of the United States or the Secretary of Homeland Security to apply for admission into the United States.

On May 21, 2018, the Defendant was arrested and booked in to the El Paso County Detention Facility pending her initial appearance in United States Magistrate Court.